

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

In re POLYURETHANE FOAM ANTITRUST
LITIGATION

)
) MDL Docket No. 2196
)
)

)
) Index No. 10 MD 2196 (JZ)
)
)

This document relates to:

)
)
) Direct Purchaser Case *Spring Air International*
LLC v. Hickory Springs Manufacturing Co., et
al (3:11-pf-10001-JZ)
)
)
)

)
) January 18, 2013
)
)
)

NOTICE OF SERVICE OF THIRD-PARTY SUBPOENA
FOR DOCUMENTS ON AMERICAN CAPITAL LTD.

Direct Action (Non-Class) Plaintiffs Spring Air International LLC (“Spring Air International”), Spring Air Ohio LLC (“Spring Air Ohio”), Spring Air LLC (“Spring Air Utah”), E&E Bedding Company, Inc. (E&E Bedding Co.”), and Alfred T. Giuliano, the Chapter 7 Trustee of the Substantively Consolidated Estates of Consolidated Bedding, Inc.¹ (hereinafter referred to as “CBI” and, collectively with Spring Air International, Spring Air Ohio, Spring Air Utah and E&E Bedding Co., the “Spring Air Entities” or “Plaintiffs”), by and through their attorneys, hereby give notice pursuant to Rule 45(b)(1) of the Federal Rules of Civil Procedure

¹ The full list of substantively consolidated estates represented by the CBI Trustee is as follows: Consolidated Bedding, Inc.; Ackerman Manufacturing Company; Alabama Bedding Manufacturing Company, Inc.; American Bedding Industries, Inc.; Associated Trucking Company, Inc.; Atlas Bedding Manufacturing Corporation; Chattam & Wells, Inc.; Nature’s Rest, Inc.; Nature’s Rest Marketing, LLC; Spring Air Bedding Company; Spring Air California – Deluxe Bedding Company, Inc.; Spring Air Mattress Company; Spring Air Mattress Company of Colorado; Spring Air – Mountain West, Inc.; Spring Air Partners – California, Inc.; Spring Air Partners – New Jersey, Inc.; Spring Air Partners – North America, Inc.; Spring Air Partners – Texas, Inc.; Spring Air West, LLC; and The Spring Air Company.

of their issuance of a subpoena for documents and electronically stored information to American Capital Ltd. and its affiliated entities, including American Capital Funding. A copy of the subpoena is attached to this Notice as Exhibit A.

PLAINTIFFS, SPRING AIR
INTERNATIONAL LLC, *et al.*

By Their Attorneys:

/s/ Vanessa Roberts Avery
Eric Watt Wiechmann (ct 04331)
Vanessa Roberts Avery (ct 21000)
MCCARTER & ENGLISH, LLP
185 Asylum St., 36th Floor
Hartford, Connecticut 06103
Phone: (860) 275-6700
Fax: (860) 724-3397
E-Mail: ewiechmann@mccarter.com
vavery@mccarter.com

/s/
Charles E. Tompkins
WILLIAMS, MONTGOMERY & JOHN
233 S. Wacker, Suite 6100
Chicago, Illinois 60606-6359
Phone: (312) 443-3286
Fax: (312) 630-8586
E-Mail: CET@Willmont.com

CERTIFICATE OF SERVICE

I certify that on January 18, 2013, a true and correct copy of the foregoing was served electronically on all counsel of record.

/s/ Vanessa Roberts Avery

Vanessa Roberts Avery (ct 21000)

McCarter & English, LLP

CityPlace I

185 Asylum Street

Hartford, CT 06103

Tel.: (860) 275-6700

Fax: (860) 724-3397

E-mail: vavery@mccarter.com